

MAIL STOP 16
PATENT
2001-1448

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of	Attn.: Office of Finance
Jacob VAN DER ZWAN et al.	Conf. 5094
Application No. 10/585,113	Group 3629
Filed June 30, 2006	Examiner Not Yet Assigned
CONNECTOR ASSEMBLY FOR CONNECTING AN EARPIECE OF A HEARING AID TO A GLASSES TEMPLE	

REQUEST FOR REFUND

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 4, 2009

Sir:

The present application papers were filed on June 30, 2006, as a 35 USC 371 application. The filing fee included check #35451, in the amount of \$5,380.00 to cover the following fees:

the 37 CFR §1.492(a) basic filing fee of \$300.00 under
Fee Code 1631;

the 37 CFR §1.492(b)(3) search fee of \$500.00, under
Fee Code 1642;

the 37 CFR §1.492(c)(2) examination fee of \$200.00,
under Fee Code 1633;

the 37 CFR §1.492(d) extra independent claims fee (for
8 extra independent claims over three) of \$1,600.00,
under Fee Code 1614 and;

the 37 CFR \$1.492(e) extra claim fee (for 53 claims over 20) of \$2,650.00, under Fee Code 1615.

However, the attached Patent Application Fee Determination Record (PTO-875) erroneously calculated that there are 15 independent claims (instead of the original 11) so our Deposit Account was excessively charged **\$800.00** under Fee Code 1614 for 4 (four) additional independent claims at \$200.00 per extra independent claim, which was the fee at the time that the application was filed. We have reviewed the claims presented in the applicant's preliminary amendment of June 30, 2006, and confirm that there are only 8 extra independent claims and not 12. The independent claims are: Claim 1, 17, 23, 24, 35, 37, 48, 61, 66, 69 and 70, which means that there are only 8 extra independent claims over 3.

Accordingly, it is respectfully requested that the 37 CFR \$1.492(d) extra independent claim fee of \$800.00 under fee code 1614, which was charged by the USPTO in error and in excess, be refunded pursuant to 37 CFR 1.26, in the form of a credit to counsel's Deposit Account No. 25-0120.

Respectfully submitted,

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